



ANNEXATION PROCEDURE

(Revised December 2004)

Sandy City Community Development Department

10000 Centennial Parkway, Sandy, UT 84070

Telephone (801)568-7261; FAX# (801)568-7278

I. Pre-Petition Steps

- A. **Applicant** desiring annexation is informed of annexation procedure by Planning Division.
 - 1. Planning staff checks location, zoning, General Plan, and City policies.
 - 2. Applicant receives Annexation Procedure forms.
- B. **Applicant** intending to file an annexation petition shall:
 - 1. File a 'Notice of Intent' to file a petition, including an accurate area map of the proposed annexation, with the City Recorder and each 'affected entity.' (Salt Lake County Commission, appropriate Special Districts, City Councils of municipalities whose boundaries are within ½ mile of the proposed annexation area, and Jordan School District. Names and addresses of 'affected entities' are available from the City Recorder.)
 - 2. Request in writing that Salt Lake County Mayor's Office mail the notice to the 'affected property owners' and pay for the expected actual cost of mailing the notice.
- C. Within 20 days, **Salt Lake County** shall mail an 'affected property' notice to:
 - 1. Each owner of real property located within the proposed annexation.
 - 2. Each owner of real property located within 300 feet of the area proposed to be annexed.
 - 3. City Recorder a copy of the notice, certificate of mailing, and the county mailing list.
- D. **City Recorder** forwards certificate of mailing, county mailing list, and 'affected property' notice to Planning Division.
- E. **Planning Division** then provides the applicant with an annexation petition for the area proposed in the 'Notice of Intent.'

II. Petition Steps

- A. **Applicant** circulates petition to property owners within the annexation boundary. The signatures on the petition must:
 - 1. Comprise a majority of the private land area (acreage) within the annexation boundary.
 - 2. Be equal in value to at least 1/3 of all private land area within the annexation boundary.
- B. Applicant submits the following to the **Planning Division**:
 - 1. Copy of notice of intent sent to 'affected entities' with list of entities who received the notice.
 - 2. **Letter** from the applicant requesting annexation and zoning with the following information:
 - a. *Name, address, and phone number of applicant*
 - b. *Address of property*
 - c. *Number of people presently living on the property*
 - 3. Annexation **petition** with:
 - a. Names, mailing addresses, and status of annexation sponsors.
 - b. Signatures of property owners that reflect the record title owners according to the records of the County Recorder as of the date of the filing of the annexation petition.
 - 4. **Legal description**, with acres to be annexed, and conceptual site plan, when

- applicable, OR an accurate and recordable map prepared by a licensed surveyor for the area proposed for annexation (must meet with City Surveyor prior to map preparation).
5. **Names and addresses** of property owners on mailing labels within the annexation and within 300 feet (or other staff designated distance) of the proposed perimeter of the annexation.
 6. Petition for annexation into the **Alta Canyon Recreation Service District** (for properties east of 1300 East and north of Dry Creek).
 7. Annexation processing **fee** of \$368.

III. Post-Petition Steps

- A. **Planning Division** verifies:
 1. Boundary and contiguity
 2. Annexation petition signatures from county mailing list.
 3. Compliance with General Plan and state annexation laws
 4. Name of project file standardized based upon petition
 5. Water service/impact on City's water system and master plan.
- B. If the petition is not in compliance, the **Planning Division** will send a letter to the applicant outlining petition deficiencies.
- C. **Planning Division** refers annexation application to **Mayor's Cabinet** for review with applicable documents (petition and area maps).
- D. If Mayor's Cabinet approves of annexation proceeding through the process, the **Planning Division** submits appropriate information to the **City Surveyor** for preparation of the annexation map.
- E. Upon completion of the annexation map, the **City Surveyor** submits two copies to the Planning Division and e-mails the legal description to the same and to the City Recorder.
- F. The **Planning Division** then forwards the following to the City Recorder:
 1. The signed petition, including annexation sponsor(s).
 2. Copy of the annexation map.
 3. Copy of notice of intent sent to 'affected entities' with list of entities who received the notice.
- G. The **City Recorder** reviews the above for compliance. If the petition meets the requirements on the same day a complete petition is received, the City Recorder shall complete the following:
 1. Makes three copies (four if any part of the annexation is located within a township) of the map and petition.
 2. Sends petition packet with copy of map to County Clerk on behalf of the sponsor(s).
 3. Sends petition packet with copy of map to Township Planning Commission chair, if applicable.
 4. Sends petition packet with copy of map to the City Attorney's Office for acceptance of resolution.

- H. **City Attorney's Office** prepares the Resolution (acceptance of petition) for City Council and forwards it to the City Council office for agenda scheduling.
- I. If the **City Council** does not take action within 14 days after the petition is filed, the petition shall be considered to be accepted for further consideration.
- J. If the **City Council** denies the petition, the annexation process is concluded. Within 5 days of the denial, written notice shall be mailed by the **City Recorder** to the contact sponsor, County Clerk and Township Planning Commission Chair.
- K. If the **City Council** accepts the petition for further consideration, the annexation proceeds through the process. Determination of compliance (certification) with petition requirements must be completed within 30 days of acceptance, including the following:
1. The **petition** was filed with the City Recorder.
 2. A Notice of Intent was filed and mailed as required.
 3. An 'affected property' notice was mailed and certified.
 4. The petition comprises a majority of the private land area (acreage) within the annexation boundary and is equal in value to at least 1/3 of all private land area within the annexation boundary.
 5. A proper **map** has been prepared by a licensed surveyor.
 6. All or part of the area is not the subject of a previously filed petition that has not been denied, rejected or granted.
- L. If certification requirements are not met, the petition is rejected. The **City Recorder** mails or delivers written notification, including reason(s) for rejection to the City Council, the Planning Division, the annexation sponsor(s), county legislative body, and the chair of Planning Commission of any township affected by any part of the annexation. While a corrected petition may be modified and re-submitted, it will be considered as a newly filed petition.
- M. If certification requirements are met, the **City Recorder** notifies the City Council in writing, sends copies of the certification notice to the Planning Division, the annexation sponsor(s), the county legislative body, and the chair of Planning Commission of any township affected by any part of the annexation.
- N. Applicant attends a **City Development Review** meeting, when necessary, to review zoning and site plan issues. The Committee meets on Monday mornings. Call 568-7261 to schedule.
- Applicant may be directed to meet with the appropriate Neighborhood Council or other neighborhood groups for annexation and zoning input before making a formal annexation submittal.
- O. **Within 10 days** of notification of certification to the City Council, the City Recorder prepares a notice of petition, publishes it once a week for three weeks in the newspaper, and post notice at usual posting locations. **Within 20 days** of notification of certification to the City Council,

the City Recorder mails notices to affected entities.

IV. If There is a Protest of the Annexation Petition

- A. **Protests** of annexation petitions must be made no later than 30 days from the receipt of 'Notice of Certification' by the City Council. Protests of annexation petitions are to be filed with the Salt Lake County Boundary Commission with a copy of the protest sent to the City Recorder and shall state each reason for the protest, the name and address of a contact person to receive notices and the name and current residence address of each owner signing the protest.
- B. **Protests** of annexation petitions may be filed by: affected entities and owners of private real property as outlined in 10-2-407 UCA.
- C. The **City Council** may deny the annexation petition at it's next regular meeting after the expiration of the protest period. If the City Council denies the annexation petition, the City Recorder, within 5 days, sends notice of denial in writing to the annexation sponsor(s), the Salt Lake County Boundary Commission, each entity that filed a protest, and protest contact person.
- D. If the **City Council** does not deny the annexation petition, they may not take further action on the petition until after the 'Receipt of Notice' from the Boundary Commission of it's decision on the protest.
- E. After the receipt of the Boundary Commission decision, the **City Council** may: deny the annexation petition or grant the annexation petition by ordinance, in compliance with the Boundary Commission decision.

V. If There is No Protest of the Annexation Petition

- A. The **City Recorder** notifies Planning Division staff that protest period has ended.
- B. **Planning Commission Review and Recommendation**
 - 1. Application for annexation is placed on the next available Planning Commission **Agenda**. The Planning Commission typically meets on the 1st and 3rd Thursdays of each month.
 - 2. Planning staff researches application and writes **staff report** to the Planning Commission and City Council with recommendations, maps, exhibits, etc.
 - 3. Planning staff sends **written notice** to applicants and property owners within the set distance from the perimeter of the proposed annexation, as deemed appropriate.
 - 4. Planning Commission makes **recommendation** on annexation and zoning to the City Council.
- C. **City Council Review and Approval**
 - 1. The **Planning Division** prepares 'Notice of Public Hearing' form request for City Council Agenda Meeting and forwards the same, along with mailing labels, to the City Recorder for preparation of public hearing notice.

2. The **City Recorder** sends the following to the Attorneys' Office: copy of resolution accepting petition, petition certification, notice of certification.
3. **Planning Division** prepares exhibits for the legal description and map of annexation area and with approved zoning, and submits to Attorney's Office, along with any other necessary documents as part of the ordinance adoption procedure.
4. **Attorneys' Office** prepares annexation ordinance and document amending articles of incorporation and forwards document to the Council Office.
5. The **City Recorder** ensures that 'Notice of Public Hearing' is published at least seven days prior to the public hearing in a newspaper of general circulation.
6. At least one week before the scheduled public hearing date, **Planning Division** staff submits to City Council Chairman the following: staff report, Planning Commission Minutes, and 'City Council Request' form with Department Head and City Administrator signatures.

VI. Annexation Plat Recordation

- A. If the annexation petition is granted and the ordinance is adopted by the City Council. Within 30 days of the adoption of the ordinance:
 1. The **City Recorder** forwards the ordinance to the Mayor's office for signature. The recorder attests the Mayor's signature and then publishes the ordinance.
 2. **City Recorder** forwards ordinance #'s to the City Surveyor.
 3. The **Planning Division** notifies the **City Surveyor** who prepares the annexation plat with appropriate property information (legal description, zoning, location and references, addresses of streets and dwellings) and signature boxes. The City Surveyor forwards the completed annexation plat with the City Engineer's signature to the City Recorder.
- B. The **City Recorder** requests a small area map of the annexed area from the Planning Division. The **Planning Division** prepares a small area map with the effective date of the annexation and forwards it to the City Recorder.
- C. The **City Recorder** secures the following signatures on the plat: Attorneys' Office, City Council Chair, Mayor, and (Deputy) City Recorder.
- D. The **City Recorder** prepares documents and a runner request form for filing with the County Recorder. Four copies of the recorded annexation plat and a receipt are obtained.
- E. The **City Recorder** sends 'Notice of Enactment' and a small area map to each affected entity, records a certified copy of the ordinance with the signed plat, amends the Articles of Incorporation. Each 'Notice of Enactment' shall state the effective date of the annexation as follows:
 - July 1st following enactment if ordinance is adopted during the preceding November 1st through April 30th and the if the recording requirements are met before July 1st.
 - January 1st following enactment if ordinance is adopted during the preceding May 1st through October 31st and the if the recording requirements are met before January 1st.

IV. Post Recordation Procedure

- A. The **City Recorder** updates City's geographic description.
- B. The **City Recorder** forwards copies of the recorded annexation plat to the Planning Division, City Surveyor, and the GIS Department. The effective date of annexation should be clearly indicated.
- C. Within 45 days of enacting the ordinance, the **City Recorder** forwards a copy of the annexation ordinance and plat to the State Tax Commission, including a certification by the City Council that all necessary legal requirements relating to the boundary change have been completed. The effective date of annexation should be clearly indicated.
- D. The **City Recorder** sends copies of the small area map immediately to City Departments, Community Services Officer, Salt Lake Co., and other applicable entities. The effective date of annexation should be clearly indicated.
- E. **Planning Division** updates appropriate GIS layers and City maps reflecting the annexed area and approved zoning. The effective date of annexation should be clearly indicated.
- F. The **Planning Division** completes the following:
 - 1. Submits service addresses to Community Services Officer who coordinates utility changeover. Utility Billing adjusts service billings and notifies service addresses of changeover: "Welcome to Sandy" card. The effective date of annexation should be clearly indicated.
 - 2. When applicable, the petition for the *Alta Canyon Recreation Service District* is submitted to the Attorney's Office for processing after regular annexation approval by the City Council. The Attorney's Office prepares a resolution of intention to annex to the service district and submits to Council Chairman for assigned public hearing date.
 - 3. Places minutes, recorded plat, exhibits, ordinances, etc. in project file, copies appropriate documents and forwards them to the City Recorder, and places file in Planning Division master file.